

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

## CIVIL MINUTES - GENERAL

Case No. CV 11-2018 DSF (JEMx)Date 3/15/11Title US Bank, N.A. v. Martin A. Rodriguez, et al.Present: The Honorable DALE S. FISCHER, United States District JudgeDebra Plato

Not Present

Deputy Clerk

Court Reporter

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

**Proceedings:** (In Chambers) Order REMANDING Case to Superior Court of California, County of Los Angeles

This matter was removed from state court on March 9, 2011, based on federal question jurisdiction. The notice of removal claims that there is a federal question, but the complaint is a state law unlawful detainer complaint and does not state a federal cause of action. Federal jurisdiction is based on the plaintiff's complaint and not on any counterclaims or defenses that a defendant might assert. See Holmes Group, Inc. v. Vornado Air Circulation Sys., Inc., 535 U.S. 826, 830-32 (2002).

The case is REMANDED to the Superior Court of California, County of Los Angeles.

IT IS SO ORDERED.